

BILL ANALYSIS

H.B. 2949
By: Cook
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been suggested that eliminating the involvement of the comptroller of public accounts in administering a county or municipality collection improvement program for the collection of court costs, fees, and fines imposed in criminal cases could produce significant revenue for the state. H.B. 2949 seeks to transfer the comptroller's responsibilities in determining collection rates and auditing municipalities and counties for purposes of the programs to the Office of Court Administration.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2949 amends the Code of Criminal Procedure, in provisions of law relating to a collection improvement program developed by a county or municipality to improve the collection of court costs, fees, and fines imposed in criminal cases, to remove all authority of the comptroller of public accounts in jointly administering the collection improvement programs with the Office of Court Administration of the Texas Judicial System and to transfer the duties imposed on the comptroller for administering the programs to the office of court administration. The bill makes conforming changes.

H.B. 2949 repeals provisions of the Local Government Code prohibiting a municipality or county from retaining certain service fees and requiring the treasurer of a municipal or county treasury to send 100 percent of the time payment fees to the comptroller, if the comptroller determines that the municipality or county is not in compliance with collection improvement program requirements and makes related conforming changes.

H.B. 2949 repeals Sections 133.058(e) and 133.103(c-1), Local Government Code.

EFFECTIVE DATE

September 1, 2011.